

[Previous issues](#)

Contents

[Comment](#)

[Reports](#)

Dispute with the London Institute
Hillel Ticktin
Leicester promotes Andrew Colman
Top scientists lie

[Notices](#)

Investors in people
Bad E.T experiences?

[Articles](#)

Post 16 education: whose agenda?

Next Meeting: 7 October 2000 at 2pm in Room
E205, Birkbeck College, Malet Street, London
WC1

Submitting Contributions

Deadline for the next *Update* is **30 June 2000**
Please send letters on any issue, news items and
articles to:

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London E9 5SU

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Tel/Fax: 0208 986 3004

Disks & email are best.

**Items in CAFAS Update do not necessarily
reflect the views of the Council.**



Comment

The contributions in this Update confirm again that education has to be fought for and that it is possible to advance in academic freedom, standards and in our aspirations. Members will be encouraged by Michael Chanan's exemplary stand against bullying, harassment and the apparent rejection of fair procedures, academic freedom and natural justice by the London Institute. Michael's case has recently been reported in the Whistleblower column of The Times Higher but as you will see from his report above, his immediate managers show little sign of ceasing their attack, even going as far as attempting to remove him from the premises.

One of many disturbing aspects is the removal of a number of books from a course reading list including one on ideology by Terry Eagleton, a CAFAS patron. Another disturbing factor is the misguided practice of appointing people from the business world to manage education. The real benefits of education for the society disappear once it is subjected to commercial practices. Members are also reporting that they are opposing attempts to subject their research to income generation.

Michael Chanan's determination to fight is endorsed by the victories of Andrew Colman and Hillel Tickin (see Reports). CAFAS members will be heartened by the knowledge that in fighting your own case you will attract support, help others and defend education. And Liz Lawrence discusses ways how students and staff might work together and use the changes to their benefit (see Articles).

Pat Brady & Geraldine Thorpe



Reports

Not copied to web this month



Articles

LEICESTER PROMOTES ANDREW COLMAN

A remarkable reversal of fortunes has taken place in the case of Andrew Colman, a Reader in Psychology at the University of Leicester. We reported in January (CAFAS Update No 26) that his Head of Department, Professor Ann Colley, had served him with a formal Stage 1 Oral Warning under the university statute governing "discipline, dismissal and removal from office". This had followed his invocation of a Grievance Procedure in which he accused Ann Colley, and certain others, of handling his applications for promotion and discretionary salary increments unfairly and unlawfully. In a surprising turnabout, the university has not only lifted the Oral Warning but has also granted him promotion to a Personal Chair. He has responded by withdrawing his Grievance.

Andrew Colman had initially, in June 1998, petitioned the Visitor, who in the case of Leicester University is the Queen acting through the President of the Privy Council. The university submitted its answer to his Visitorial Petition after a delay of more than 10 months, a delay that the Visitor strongly deprecated. She ruled, however, that the internal Grievance Procedure should first be exhausted before she could consider the case. Andrew Colman therefore invoked the Grievance Procedure on 16 July 1999, and two months later, on 23 September 1999, his Head of Department issued the disciplinary Oral Warning against him.

His alleged offence was failing to set questions for a resit examination in a "timely and appropriate manner". In fact, his lateness was due to the departmental Examinations Officer having forgotten to ask for the questions at the right time, overlooking the fact that two students had to resit the paper in question. None the less, Andrew Colman had set the questions in good time and had delivered them four days before the examination itself, which had passed off without incident. He believes that he had committed no offence whatsoever and that the Oral Warning was a crude and blatant example of intimidation and bullying.

Immediately after receiving the Oral Warning, he exercised his right of appeal. The appeal was heard by a Pro-Vice-Chancellor, who handled it with impeccable propriety, though not velocity. Four months elapsed without any decision being reached, until eventually, on 27 January 2000, after Andrew Colman had written to the Visitor complaining about the delay, the Oral Warning was lifted without any qualifications or conditions, and he was totally exonerated and vindicated.

Insiders at Leicester University had never doubted that the Oral Warning would eventually be lifted, if not through the internal appeal procedure then through other avenues of recourse, because Andrew Colman had done nothing wrong and the Oral Warning was manifestly out of order. In addition, certain aspects of the manner in which it had been

handled -- Professor Colley's refusal to disclose certain relevant documents, and the fact that she deliberated with a colleague before reaching her decision -- raised doubts as to whether it had been issued lawfully. Many people within the university and outside it shared the view that it was a purely vindictive act by a Head of Department stung by revelations submitted to the Grievance Committee and anxious about others yet to come. If Andrew Colman could be driven from the university, certain failings might never come to light.

What followed took almost everyone by surprise. On 9 February 2000, the university's new Vice-Chancellor, Professor Bob Burgess, wrote to Andrew Colman saying: "I am delighted to inform you that the Staffing Committee will be recommending to Senate that you be promoted to a Personal Chair with effect from 1 October 2000". A few weeks later Senate endorsed the decision without discussion or comment. Andrew Colman had been submitting applications for promotion since 1992, but his Head of Department had vigorously opposed them, and he was not expecting to succeed. One of Professor Burgess's first reforms on becoming Vice-Chancellor in October 1999 was to put in place new promotions procedures intended to improve fairness and objectivity. On 23 February 2000, in the light of his promotion and in the spirit of reconciliation, Andrew Colman decided to bring a halt to the Grievance Procedure. He has commented to CAFAS Update as follows:

"I have been promoted in spite of strenuous opposition from my Head of Department. In November she told me at length that she considered my performance so poor as not to merit consideration even for a discretionary increment, although I have been at the top of the Reader/Senior Lecturer scale since 1989. I am as astonished about my promotion as I am thrilled. Universities tend to close ranks against staff members who fall out with their departmental heads, and the strong wishes of a head are seldom overridden. She may have lost credibility through her vindictive and absurd Oral Warning and various other actions that she has taken.

"It would be flattering to interpret my promotion as an inevitable consequence, under the reformed promotion procedures, of the irresistible strength of my case and a belated appreciation of my qualities and achievements. But candid friends have pointed out to me that the university has also benefited, notably by avoiding further adverse publicity. Damaging revelations would have emerged if I had taken the university to court over the Oral Warning, and especially if my Grievance Procedure had gone ahead.

"Even if the university has not acted out of the goodness of its collegial heart, the lesson to be learnt is that it is sometimes possible to beat the system if you have right on your side, although it takes almost superhuman patience, stamina, and above all self-control to resist the siren voices tempting you to give up and let the powerful people get on with their nefarious activities. I had more or less given up in 1997, before I discovered CAFAS, but once I had made contact with CAFAS Gill Evans encouraged me to battle on patiently and showed me how to do it. If it hadn't been for her I'd never have achieved anything. I now feel that academics who are treated unfairly have a positive duty to stand up for themselves, not only for their own good but also out of a moral responsibility to others who might be abused and maltreated in the future."



Notices

INVESTORS IN PEOPLE

If you wish to voice your concern about an institution you know does not deserve the title, please write to:

Julie Sullivan, Manager, Practitioner Development, Investors In People UK, 7 - 10 Chandos Street London W1M 9DE

BAD E.T. EXPERIENCES?

Could members who have suffered bad experiences with Employment Tribunal Chairs and/or with costs awarded against them please send details to Dr Gillian Evans, Faculty of History, University of Cambridge, West Rd, Cambridge CB3 9EF who is collecting information on these as evidence for an inquiry into Employment Tribunals.